

M - 213,964

MAY 14 1971

Phoenix program cited

McCloskey charges U.S. Viet violations

By Richard L. Strout

Staff correspondent of
The Christian Science Monitor

Washington

Rep. Paul N. McCloskey Jr. (R) of California charges that United States forces in Vietnam are systematically cooperating with South Vietnamese intelligence agencies in the so-called "Phoenix" (pacification) program which includes torture and assassination contrary to America's public professions under the Geneva conventions.

Mr. McCloskey, an ex-marine intends to running on an antiwar ticket against President Nixon, says he has written the latter five letters which have not been acknowledged. The latest specifically deals with his allegations of current, widespread atrocities in Vietnam.

The young first-term congressman traveled recently with Rep. Jerome R. Waldie (D) of California to the war zones and comes back with specific photostated U.S. military documents which he charges contradict official declarations that U.S. bombings are not causing refugees to leave villages in war zones on a mass basis.

Mr. McCloskey's charges, which border on the sensational, obviously open up a new phase of his double effort, either to persuade President Nixon to accede to fixing a date for all-out U.S. withdrawal from Vietnam, or, by organizing opposition in the Republican primaries, to nominate an antiwar candidate—himself.

Violations charged

Mr. McCloskey charges that the military and diplomatic officials who briefed him withheld pertinent facts or deliberately sought to deceive him and Representative Waldie. Also, that U.S. professions in a letter of Dec. 7, 1970, to the International Red Cross at Geneva by Ambassador Idar Rimestad, accepting as part of America's "residual responsibility" that of working with the Vietnam Government so as to safeguard civilian prisoners under Article 3 of the Geneva convention, are being systematically violated.

Mr. McCloskey previously put in the Congressional Record, April 22, by Mr. Waldie showing an elaborate

structure under Phoenix (native name, "Phung Hoang") to suppress subversion in so-called pacified areas. The rationale of the program as explained in Army manuals is that the Communist Viet Cong infrastructure is an "inherent part of the war effort" and hence illegal. The instruction manual issued to guide Army personnel says at one point (May 18, 1970):

"Thus they [U.S. troops] are specifically unauthorized to engage in assassinations. . . ."

At another point the instructions say that military personnel who find the type of police activities "repugnant" can be reassigned without prejudice.

Messrs. McCloskey and Waldie said they were astonished to discover that at the critical point in the interrogation process of native suspects brought in from Vietnamese villages, the job of collaborating with local Vietnamese officials passed from the regular military to U.S. civilians in the Central Intelligence Agency.

The so-called Province Interrogation Center is the most sensitive part of the Phoenix program. A U.S. Army manual explains that persons "reasonably believed to endanger the national security" are taken into custody, without normal judicial procedure. The U.S. manual explains that this "emergency political detention [is] necessitated by the need of the State to survive. There is no defined burden of proof as utilized by the courts."

At the province detention center the two congressmen discovered that arrested suspects are subject to interrogation which may last up to 45 days. They assert that the CIA operates the interrogation center under a cover title, "Pacification Security Coordination Division."

Guarded statement

Mr. McCloskey said it was widely reported, and that he believed, that South Vietnamese apply torture to secure confessions at these centers.

In a guarded statement, April 22, Mr. Waldie said that he got evidence in only one instance of "abuses"; the testimony of one American adviser that he had seen a blindfolded detainee being taken into an interrogation center in the hands of the South Vietnamese interrogator."

Mr. McCloskey told a reporter that a rubber house does not leave physical evidence after it is used. At another point the congressmen heard that a rubber hose had been found on the desk of the district intelligence officer.

As to bombing refugees, Mr. McCloskey charges that after being briefed at a six-hour official U.S. session to the effect that mass refugee evacuation is not due to U.S. bombing, he and Mr. Waldie talked independently through translators to representatives of eight villages. They predominantly testified that they had left home after it was destroyed by U.S. bombing.